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ORIGINAL

BEFORE THE ARIZONA CORPORATION

COMMISSIONERS

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SUSAN BITTER SMITH - CHAIRMAN
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AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF
SUNZIA TRANSMISSION, LLC, IN
CONFORMANCE WITH THE REQUIREMENTS
OF ARIZONA REVISED STATUTES 40-360, ET.
SEQ., FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY
AUTHORIZING THE SUNZIA SOUTHWEST
TRANSMISSION PROJECT, WHICH INCLUDES
THE CONSTRUCTION OF TWO NEW 500KV
TRANSMISSION LINES AND ASSOCIATED
FACILITIES ORIGINATING AT A NEW
SUBSTATION (SUNZIA EAST) IN LINCOLN
COUNTY, NEW MEXICO, AND
TERMINATING AT THE PINAL CENTRAL
SUBSTATION IN PINAL COUNTY, ARIZONA.
THE ARIZONA PORTION OF THE PROJECT IS
LOCATED WITHIN GRAHAM, GREENLEE,
COCHISE, PINAL AND PIMA COUNTIES.

CASE NO. 171

DOCKET NO. L-00000YY-15-0318-00171

NOTICE OF FILING SAMPLE FORMS
OF ORDER FOR CASE NO. 171

Arizona Corporation Commission

DOCKETED

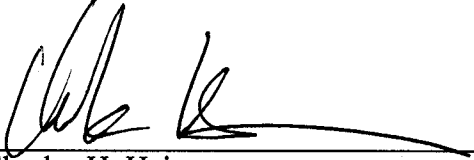
DEC 17 2015

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The Arizona Corporation Commission's ("Commission") Legal Division hereby provides notice of filing sample forms of order for the Commission's convenience when considering the above-captioned matter. Sample Order No. 1 is in a format suitable for Commission approval of the Siting Committee's Certificate of Environmental Compatibility ("CEC") decision. Sample Order No. 2 is in a format suitable for Commission modifications to the Siting Committee's CEC decision. Sample Order No. 3 is in a format suitable for denial of the Siting Committee's CEC decision.

The matter has not yet been scheduled for consideration by the Commission at an Open Meeting. However, the Commission may schedule this matter for consideration at an Open Meeting scheduled for January 2016. Parties are advised to regularly check the Commission's web page for the Open Meeting agendas at <http://www.azcc.gov/Divisions/Administration/Meetings/>.

1 RESPECTFULLY SUBMITTED this 17th day of December, 2015.

2
3
4 
5 Charles H. Hains
6 Attorney
7 Arizona Corporation Commission
8 1200 West Washington Street
9 Phoenix, Arizona 85007
10 (602) 542-3402

11 **Original and twenty-eight (28)**
12 **copies of the foregoing filed this**
13 **17th day of December, 2015 with:**

14 Docket Control
15 Arizona Corporation Commission
16 1200 West Washington Street
17 Phoenix, Arizona 85007

18 **Copies of the foregoing mailed and/or**
19 **emailed this 17th day of December, 2015 to:**

20 Chairman Thomas Chenal
21 Arizona Power Plant & Transmission
22 Line Siting Committee
23 Attorney General's Office
24 1275 West Washington Street
25 Phoenix, Arizona 85007
26 thomas.chenal@azag.gov

27 Albert "Bert" Acken
28 Samuel L. Lofland
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7 130 West Congress Street, 10th Floor
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11 131 West Pinkley Avenue
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1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 SUSAN BITTER SMITH - CHAIRMAN
4 BOB STUMP
5 BOB BURNS
6 DOUG LITTLE
7 TOM FORESE

8 IN THE MATTER OF THE APPLICATION
9 OF SUNZIA TRANSMISSION, LLC, IN
10 CONFORMANCE WITH THE
11 REQUIREMENTS OF ARIZONA REVISED
12 STATUTES 40-360, ET. SEQ., FOR A
13 CERTIFICATE OF ENVIRONMENTAL
14 COMPATIBILITY AUTHORIZING THE
15 SUNZIA SOUTHWEST TRANSMISSION
16 PROJECT, WHICH INCLUDES THE
17 CONSTRUCTION OF TWO NEW 500KV
TRANSMISSION LINES AND ASSOCIATED
FACILITIES ORIGINATING AT A NEW
SUBSTATION (SUNZIA EAST) IN
LINCOLN COUNTY, NEW MEXICO, AND
TERMINATING AT THE PINAL CENTRAL
SUBSTATION IN PINAL COUNTY,
ARIZONA. THE ARIZONA PORTION OF
THE PROJECT IS LOCATED WITHIN
GRAHAM, GREENLEE, COCHISE, PINAL
AND PIMA COUNTIES.

CASE NO. 171

DOCKET NO. L-00000YY-15-0318-00171

DECISION NO. _____

SAMPLE ORDER NO. 1

*(Sample Form of Order for the Convenience of the
Commission to Use if the Commission Determines it is in
the Public Interest to Grant the Project a CEC as Issued
by the Siting Committee's Decision.)*

18 Open Meeting
19 Phoenix, Arizona

20 **BY THE COMMISSION:**

21 Pursuant to A.R.S. § 40-360, *et seq*, after due consideration of all relevant matters, the
22 Arizona Corporation Commission ("Commission") finds and concludes that the Certificate of
23 Environmental Compatibility ("CEC") issued by the Arizona Power Plant and Transmission Line
Siting Committee ("Siting Committee") is hereby approved as granted by this Order.

24 The Commission, in reaching its decision, has balanced all relevant matters in the broad
25 public interest, including the need for an adequate, economical and reliable supply of electric power
26 with the desire to minimize the effect thereof on the environment and ecology of this state, and finds
27 that granting the Project a CEC is in the public interest.
28

1 The Commission further finds and concludes that in balancing the broad public interest in this
2 matter:

- 3 1. The Project is in the public interest because it aids the state in meeting the need for an
4 adequate, economical, and reliable supply of electric power.
- 5 2. In balancing the need for the Project with its effect on the environment and ecology of
6 the state, the conditions placed on the CEC effectively minimize its impact on the
7 environment and ecology of the state.
- 8 3. The conditions placed on the CEC resolve matters concerning the need for the Project
9 and its impact on the environment and ecology of the state raised during the course of
10 proceedings, and as such, serve as the findings on the matters raised.
- 11 4. In light of these conditions, the balancing in the broad public interest results in favor
12 of granting the CEC.

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**THE CEC ISSUED BY THE SITING COMMITTEE IS
INCORPORATED HEREIN AND IS APPROVED BY ORDER OF THE
ARIZONA CORPORATION COMMISSION**

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, JODI JERICH, Executive
Director of the Arizona Corporation Commission, have
hereunto, set my hand and caused the official seal of this
Commission to be affixed at the Capitol, in the City of
Phoenix, this _____ day of _____ ,
2016.

JODI JERICH
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

SERVICE LIST FOR: SUNZIA TRANSMISSION, LLC
DOCKET NO. L-00000YY-15-0318-00171

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Arizona Power Plant & Transmission
Line Siting Committee
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1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 SUSAN BITTER SMITH - CHAIRMAN
4 BOB STUMP
5 BOB BURNS
6 DOUG LITTLE
7 TOM FORESE

8 IN THE MATTER OF THE APPLICATION
9 OF SUNZIA TRANSMISSION, LLC, IN
10 CONFORMANCE WITH THE
11 REQUIREMENTS OF ARIZONA REVISED
12 STATUTES 40-360, ET. SEQ., FOR A
13 CERTIFICATE OF ENVIRONMENTAL
14 COMPATIBILITY AUTHORIZING THE
15 SUNZIA SOUTHWEST TRANSMISSION
16 PROJECT, WHICH INCLUDES THE
17 CONSTRUCTION OF TWO NEW 500KV
18 TRANSMISSION LINES AND ASSOCIATED
19 FACILITIES ORIGINATING AT A NEW
20 SUBSTATION (SUNZIA EAST) IN
21 LINCOLN COUNTY, NEW MEXICO, AND
22 TERMINATING AT THE PINAL CENTRAL
23 SUBSTATION IN PINAL COUNTY,
24 ARIZONA. THE ARIZONA PORTION OF
25 THE PROJECT IS LOCATED WITHIN
26 GRAHAM, GREENLEE, COCHISE, PINAL
27 AND PIMA COUNTIES.

CASE NO. 171

DOCKET NO. L-00000YY-15-0318-00171

DECISION NO. _____

SAMPLE ORDER NO. 2

(Sample Form of Order for the Convenience of the Commission to Use if the Commission Determines it is in the Public Interest to Grant the Project a CEC but also Determines that the Public Interest Requires that the Commission Modify the CEC as Issued by the Siting Committee's Decision.)

17 Open Meeting
18 Phoenix, Arizona

19 **BY THE COMMISSION:**

20 Pursuant to A.R.S. § 40-360, *et seq.*, after due consideration of all relevant matters, the
21 Arizona Corporation Commission ("Commission") finds and concludes that the Certificate of
22 Environmental Compatibility ("CEC") issued by the Arizona Power Plant and Transmission Line
23 Siting Committee ("Siting Committee") is hereby approved as modified by this Order.

24 The Commission, in reaching its decision, has balanced all relevant matters in the broad
25 public interest, including the need for an adequate, economical and reliable supply of electric power
26 with the desire to minimize the effect thereof on the environment and ecology of this state, and finds
27
28

1 that the CEC for the above-captioned application for siting approval is in the public interest as
2 modified by this Order.

3 The Commission modifies the CEC to add the following conditions:

4 The Commission further finds and concludes that in balancing the broad public interest in this
5 matter:

- 6 1. The Project is in the public interest because it aids the state in meeting the need for an
7 adequate, economical and reliable supply of electric power.
- 8 2. In balancing the need for the Project with its effect on the environment and ecology of
9 the state, the conditions placed on the CEC as modified by the Commission effectively
10 minimize its impact on the environment and ecology of the state.
- 11 3. The conditions placed on the CEC as modified by the Commission resolve matters
12 concerning the need for the Project and its impact on the environment and ecology of
13 the state raised during the course of proceedings, and as such, serve as the findings on
14 the matters raised.
- 15 4. In light of these conditions, the balancing in the broad public interest results in favor
16 of granting the CEC as modified by the Commission.

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1 **THE CEC ISSUED BY THE SITING COMMITTEE IS**
2 **INCORPORATED HEREIN AND IS APPROVED AS MODIFIED BY ORDER OF THE**
3 **ARIZONA CORPORATION COMMISSION**

4
5 _____
6 CHAIRMAN

COMMISSIONER

7
8 _____
9 COMMISSIONER

COMMISSIONER

COMMISSIONER

10 IN WITNESS WHEREOF, I, JODI JERICH, Executive
11 Director of the Arizona Corporation Commission, have
12 hereunto, set my hand and caused the official seal of this
13 Commission to be affixed at the Capitol, in the City of
14 Phoenix, this _____ day of _____ ,
15 2016.

16 _____
17 JODI JERICH
18 EXECUTIVE DIRECTOR

19 DISSENT: _____

20 DISSENT: _____
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SERVICE LIST FOR: SUNZIA TRANSMISSION, LLC
DOCKET NO. L-00000YY-15-0318-00171

Chairman Thomas Chenal
Arizona Power Plant & Transmission
Line Siting Committee
Attorney General's Office
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1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 SUSAN BITTER SMITH - CHAIRMAN
4 BOB STUMP
5 BOB BURNS
6 DOUG LITTLE
7 TOM FORESE

8 IN THE MATTER OF THE APPLICATION
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12 STATUTES 40-360, ET. SEQ., FOR A
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14 COMPATIBILITY AUTHORIZING THE
15 SUNZIA SOUTHWEST TRANSMISSION
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17 CONSTRUCTION OF TWO NEW 500KV
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THE PROJECT IS LOCATED WITHIN
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AND PIMA COUNTIES.

CASE NO. 171

DOCKET NO. L-00000YY-15-0318-00171

DECISION NO. _____

SAMPLE ORDER NO. 3

*(Sample Form of Order for the Convenience of the
Commission to Use if the Commission Determines it is in
the Public Interest to Deny the Project the CEC Issued by
the Siting Committee's Decision.)*

18 Open Meeting
19 Phoenix, Arizona

20 **BY THE COMMISSION:**

21 Pursuant to A.R.S. § 40-360, *et seq*, after due consideration of all relevant matters, the
22 Arizona Corporation Commission ("Commission") finds and concludes that the above-captioned
23 Application for a Certificate of Environmental Compatibility ("CEC") for siting approval is not in the
24 public interest and therefore the CEC issued by the Arizona Power Plant and Transmission Line
25 Siting Committee ("Siting Committee") is hereby denied by this Order.

26 The Commission, in reaching its decision, has balanced all relevant matters in the broad
27 public interest, including the need for an adequate, economical and reliable supply of electric power
28

1 with the desire to minimize the effect thereof on the environment and ecology of this state, and finds
2 that granting the Project a CEC is not in the public interest.

3 The Commission finds and concludes that in balancing the broad public interest in this matter:

- 4 1. The evidence in the record is not sufficient to weigh the balancing of the public
5 interest in favor of granting a CEC in this matter when all the factors set forth in
6 A.R.S. § 40-360.06 are considered along with need for an adequate economical, and
7 reliable supply of electric power.
- 8 2. The conditions placed upon the CEC are not sufficient to weigh the balancing of the
9 public interest in favor of granting a CEC in this matter when all the factors set forth in
10 A.R.S. § 40-360.06 are considered along with the need for an adequate, economical,
11 and reliable supply of electric power.
- 12 3. The record compels balancing the competing public interests in favor of protection of
13 the environment and ecology of the State of Arizona by denying Applicant a
14 Certificate of Environmental Compatibility.
- 15 4. The CEC issued by the Siting Committee should not be confirmed and approved by
16 the Commission.
- 17 5. The Commission's findings 1 through 4 above serve as the Commission's findings of
18 fact and conclusions of law in reaching its decision.

19 Therefore, the Commission further finds and concludes that the CEC issued by the Siting
20 Committee is hereby denied by this Order; and, the above-captioned Application for a CEC is hereby
21 denied by this Order.

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1 **THE CEC ISSUED BY THE SITING COMMITTEE IS**
2 **INCORPORATED HEREIN AND IS DENIED BY ORDER OF THE**
3 **ARIZONA CORPORATION COMMISSION**
4

5 _____
6 CHAIRMAN

COMMISSIONER

7
8 _____
9 COMMISSIONER

COMMISSIONER

COMMISSIONER

10 IN WITNESS WHEREOF, I, JODI JERICH, Executive
11 Director of the Arizona Corporation Commission, have
12 hereunto, set my hand and caused the official seal of this
13 Commission to be affixed at the Capitol, in the City of Phoenix,
14 this _____ day of _____, 2016.

15 _____
16 JODI JERICH
17 EXECUTIVE DIRECTOR

18 DISSENT: _____

19 DISSENT: _____
20
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SERVICE LIST FOR: SUNZIA TRANSMISSION, LLC
DOCKET NO. L-00000YY-15-0318-00171

Chairman Thomas Chenal
Arizona Power Plant & Transmission
Line Siting Committee
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